

LEGISLATURE OF NEBRASKA
NINETY-SIXTH LEGISLATURE
FIRST SESSION
LEGISLATIVE BILL 483

Introduced by Tyson, 19; Dierks, 40; Robak, 22

Read first time January 14, 1999

Committee: Education

A BILL

- 1 FOR AN ACT relating to education; to adopt the Parent Education
- 2 Equitable Reimbursement (PEER) System Act.
- 3 Be it enacted by the people of the State of Nebraska,

1 Section 1. This act shall be known and may be cited as
2 the Parent Education Equitable Reimbursement (PEER) System Act.

3 Sec. 2. For purposes of the Parent Education Equitable
4 Reimbursement (PEER) System Act, the definitions found in section
5 79-1003 apply.

6 Sec. 3. The Legislature finds:

7 (1) The State of Nebraska has a responsibility to provide
8 funding to educate every school-age resident child in the state;

9 (2) Parents and legal guardians have the primary role and
10 are the primary decisionmakers in all areas regarding the education
11 and the upbringing of their children. Parents and legal guardians
12 have the primary responsibility of insuring that their children
13 receive the best education possible and should be enabled to choose
14 the best educational opportunity to meet the needs of their
15 children;

16 (3) Each local system in the State of Nebraska has the
17 responsibility to maintain an infrastructure, or manner, capable of
18 educating every student who resides within the local system. This
19 responsibility includes those children who are currently enrolled
20 in the local system and those who may potentially enroll who are
21 currently attending private, denominational, parochial and home
22 schools. Equity requires that the education-funding policy of the
23 State of Nebraska recognize the challenges faced by local school
24 systems in fulfilling this responsibility;

25 (4) Education as an investment in human resources is
26 fundamental to the quality of life and economic development of all
27 Nebraskans;

28 (5) Parental involvement is a key factor in the education

1 of children. Increasing parental choice in education recognizes
2 that parents have the right and responsibility to actively
3 participate in the education of their children and empowers them to
4 exercise those rights and responsibilities;

5 (6) Education policy should establish real options for
6 parents when exercising their decisionmaking rights for the best
7 education for their children;

8 (7) All parents finance the public schools through the
9 payment of various taxes and fees. When children are educated
10 outside the public schools, the state incurs tremendous savings;

11 (8) When parents pay tuition for their children's
12 education outside the public schools they are incurring expenses in
13 addition to the money they pay in taxes and fees to finance public
14 education;

15 (9) Equity requires that the state, which has collected
16 funds for the education of all, fulfill its responsibility to
17 provide funds for the education of every child in the state;

18 (10) Equity requires that parents receive some measure of
19 reimbursement for the money spent educating their children outside
20 the public schools from the education funds collected by the state
21 for those children's education;

22 (11) Equity requires the development of an educational
23 reimbursement system to ensure that all students are treated fairly
24 within the school finance system and that no students benefit at
25 the expense of other students; and

26 (12) The Parent Education Equitable Reimbursement (PEER)
27 System described in sections 4 and 5 of this act provides such a
28 reimbursement policy.

1 Sec. 4. Beginning with school year 1999-2000, a parent
2 or legal guardian who desires to participate in the Parent
3 Education Equitable Reimbursement (PEER) System shall, on or before
4 August 15 of each year, notify the local system in which he or she
5 resides that his or her child is enrolled in a private,
6 denominational, or parochial school or is registered as home
7 schooled and that he or she will be applying for reimbursement
8 under the system at the end of the current school year. The notice
9 shall be on a form prescribed by the department and shall be sworn
10 and subscribed before a notary public. The notice shall include
11 the information necessary for the local system to include the
12 student as an adjusted formula student for purposes of the local
13 system's state aid application.

14 If a student transfers during the school year and the
15 result is a change in status within the Parental Education
16 Equitable Reimbursement (PEER) System, the parent or guardian shall
17 notify the affected local system or systems of the change in status
18 and the intent to participate or to end participation in the Parent
19 Education Equitable Reimbursement (PEER) System within ten days
20 after transferring.

21 Local systems shall count students participating in the
22 Parent Education Equitable Reimbursement (PEER) System as students
23 in the same manner that all other students are counted pursuant to
24 the Tax Equity and Educational Opportunities Support Act.

25 Until the numbers of students participating in the Parent
26 Education Equitable Reimbursement (PEER) System have been counted
27 in the calculation of state aid pursuant to the Tax Equity and
28 Educational Opportunities Support Act, the department shall

1 distribute to local systems by June 1 the additional funds
2 necessary to meet the requirements of the Parent Education
3 Equitable Reimbursement (PEER) System Act. Such funds shall
4 include, for each student participating in the Parent Education
5 Equitable Reimbursement (PEER) System who has notified the local
6 school system in accordance with this section, the full amount of
7 state aid per adjusted formula student the local system would
8 receive pursuant to the Tax Equity and Educational Opportunities
9 Support Act.

10 Sec. 5. A local system shall reimburse the parent or
11 legal guardian of each school-age child in the local system who
12 does not attend public school and who is enrolled in a private,
13 denominational, or parochial school or is registered as home
14 schooled as follows:

15 (1) Reimbursement shall be made for expenses paid for
16 tuition for each child in kindergarten through grade twelve or for
17 educational expenses for children who are home schooled;

18 (2) Such reimbursement for children who are home schooled
19 shall be fifty percent of the state aid per adjusted formula
20 student distributed to the local system pursuant to the Tax Equity
21 and Educational Opportunities Support Act. Such reimbursement for
22 students enrolled in a private, denominational, or parochial
23 school, shall be the lesser of fifty percent of the state aid per
24 adjusted formula student distributed to the local system pursuant
25 to the Tax Equity and Educational Opportunities Support Act or one
26 hundred percent of tuition paid for each such student. For
27 purposes of this subdivision, state aid per adjusted formula
28 student includes funds made available to local systems for weighted

1 formula students adjusted pursuant to the demographic and extreme
2 remoteness factors contained in section 79-1007.01 and pursuant to
3 the sparsity calculations in section 79-1007.02;

4 (3) The parent or legal guardian of a student expelled
5 from the local system who subsequently enrolls in a private,
6 denominational, or parochial school shall be reimbursed for
7 expenses paid for tuition the lesser of one hundred percent of the
8 state aid per adjusted formula student or one hundred percent of
9 tuition paid for each such student;

10 (4) If a student transfers between a public school and a
11 private, denominational, or parochial school or home school or
12 between private, denominational, or parochial schools or home
13 schools such that his or her resident status in the local system is
14 changed, the amount reimbursed to such student's parent or legal
15 guardian shall be in proportion to the number of days enrolled in
16 the private, denominational, or parochial school or home school.
17 Each local system will reimburse the parent or legal guardian in
18 proportion to the number of days the student was a resident of the
19 local system and attending a private, denominational, or parochial
20 school or home school;

21 (5) The parent or legal guardian of a student enrolled in
22 a private, denominational, or parochial school or registered as
23 home schooled who attends public school for part of the school day
24 shall have reimbursements under the Parent Education Reimbursement
25 System Act proportionately reduced by the amount of time spent per
26 day in public school by the student;

27 (6) Within thirty days after completion of the school
28 year, the parent or legal guardian applying for reimbursement under

1 the act shall complete a form provided by the department for
2 reimbursement of tuition paid to a private, denominational, or
3 parochial school or of educational expenses of home schooling. If
4 the student transferred during the school year and the transfer
5 resulted in the proportional reimbursement under subdivision (4) of
6 this section, the form will include the information necessary to
7 receive the correct reimbursement amount. The form may require
8 that the parent provide documentation of expenses incurred.
9 Documentation shall consist of the student's final report card for
10 the school year issued by the private, denominational, or parochial
11 school, or, in the case of a student who is home schooled, a sworn
12 affidavit from the parent or legal guardian that the student has
13 completed grade-level work at least comparable to that of the local
14 system. The local system shall reimburse the parent or legal
15 guardian for expenses on or before July 31 of the year in which the
16 application is filed. Any excess funds that remain after all the
17 required reimbursements are completed pursuant to the act shall
18 remain with the local system. These funds shall be used to pay
19 costs incurred by the local school system in carrying out the
20 Parent Education Equitable Reimbursement (PEER) System. Any funds
21 remaining after paying these costs shall be used by the local
22 system to maintain the infrastructure, or manner, required to
23 educate the school-age children who reside in the system.

24 This section shall not be construed to change in any way
25 the manner of payment for tuitioned students attending public
26 school in the local system; and

27 (7) Reimbursement shall not be made under the Parent
28 Education Reimbursement System Act to parents or legal guardians of

1 students attending a private, denominational, or parochial school
2 unless such school certifies to the department that it does not
3 discriminate in admissions on the basis of race, ethnicity, color,
4 or national origin.

5 Attendance at a private, denominational, or parochial
6 school by students whose parents or legal guardians receive
7 reimbursement under the act shall not affect the applicability of
8 other education laws, rules, and regulations to such school.